

39 88. (New) The computer program product of claim 85, said computer program
further performing the steps of:

basing said incentive data on said consumer specific data comprising demographic
data of said consumer.

40 89. (New) The computer program product of claim 85, said computer program
further performing the steps of:

basing said incentive data on said consumer specific data comprising customer profile
data of said consumer.--

REMARKS

Favorable reconsideration of the present application in light of the above amendment
and in light of the following discussion is respectfully requested.

Claims 50-89 are presently active in the case, with Claims 1-49 cancelled and with
Claim 59 amended and Claims 60-69, 70-79 and 80-89, corresponding to system Claims 50-
59 but written in process, means-plus-function and computer program product formats,
respectively, added, by way of the present amendment, without the introduction of new
matter (see, e.g., Claims 50-59; and Fig. 1 and the discussion in Applicants' disclosure
thereof).

In the previous Office Action, (i) Claims 32-34 and 44-46 were rejected under 35
U.S.C. §102(b) based on public use or sale of the invention on a basis of the initial launching
of "Supermarkets Online" (SMO); and (ii) Claims 1-23 and 24-31, 35-43 and 46-59 were
rejected under 35 U.S.C. §103(a) as being unpatentable over the initial launching of SMO.

First, Applicants wish to thank Examiner Caudle and Primary Examiner Stamber for
the personal interview on January 20, 2000 with Applicants' representatives. During the

interview, (i) the cancelling of Claims 1-49; (ii) amending the specification so as to make the present application a continuation-in-part (CIP) of co-pending U.S. Patent Application serial number 08/622,685, now issued as U.S. Patent 5,970,469 (i.e., corresponding to the initial launch of SMO); and (iii) the addition of new claims, corresponding to system Claims 50-59 were discussed. An agreement was reached that such course of action would place the present case in condition for allowance, pending further search and/or consideration.

However, due to recent changes in the Patent Law, effective on November 29, 1999, the filing of a CPA herewith obviate the need to amend the specification so as to make the present application a continuation-in-part (CIP) of co-pending U.S. Patent Application serial number 08/622,685, now issued as U.S. Patent 5,970,469. Specifically, according to the new law, the filing of a continuation application will remove U.S. Patent 5,970,469 a 35 U.S.C. §102(e)/§103 prior art, since the inventors of U.S. Patent Application serial number 08/622,685, now issued as U.S. Patent 5,970,469 and the present invention were under a common duty to assign at the time each invention was filed. Accordingly, there is no need to amend the specification so as to make the present application a continuation-in-part (CIP) of co-pending U.S. Patent Application serial number 08/622,685, now issued as U.S. Patent 5,970,469.

Applicants submit that the present amendment (i) amends independent Claim 59, (ii) cancels Claims 1-49 and (iii) adds new Claims 60-69, 70-79 and 80-89, corresponding to system Claims 50-59 but written in process, means-plus-function and computer program product formats, respectively, and places the present case in condition for allowance, pending further search and/or consideration. Applicants submit that no new matter is introduced by way of the present amendment (see, e.g., Claims 50-59; and Fig. 1 and the discussion in Applicants' disclosure thereof).

Applicants submit that independent Claims 59, 60, 60 and 80, and Claims dependent therefrom are patentably distinguishable over the previously applied references, taken alone or in combination, based on the following discussion.

Applicants submit that the previously applied references, taken alone or in combination, fail to teach or suggest distributing product incentives to consumers over a communication network including a cooperative network site configured to store at least one of (i) manufacturer incentives to purchase one of a product and a service offered by a manufacturer and (ii) retailer incentives to purchase one of a product and a service offered by a retailer; at least one of a manufacturer network site and a retailer network site coupled to the cooperative network site via the communication network; and a consumer computer coupled to one of the manufacturer network site and retailer network site via the communication network, wherein the cooperative network site is configured to transmit at least one of the manufacturer incentives and retailer incentives to the consumer over the communication network, in response to a consumer request made over the communication network from one of the manufacturer network site and retailer network site, as recited in independent Claims 59, 60, 60 and 80.

Applicants submit that the above-noted features are neither taught nor suggested by the initial launch of SMO, alone or in combination with references such as Allsop et al.

Applicants submit that although Allsop et al teach a web site providing hyperlinks to authorized dealer sites, the initial launch of SMO, alone or in combination with Allsop et al, fail to teach or suggest the noted features of the claimed invention.

Applicants submit that the claimed invention advantageously provides an improved method, system and computer readable medium for distributing product incentives to

consumers over a communication network, as compared to conventional methods and systems.

Applicants submit that the initial launch of SMO, alone or in combination with Allsop et al, fail to teach or suggest the noted features of the claimed invention.

Based on the above discussion, Applicants submit that independent Claims 59, 60, 60 and 80, and Claims dependent therefrom are patentably distinguishable over the previously applied references, taken alone or in combination.

Consequently, in view of the present amendment, no further issues are believed to be outstanding in the present application. The present application is believed to be in condition for formal allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Carlos R. Villamar
Registration No. 43,224

Crystal Square Five - Fourth Floor
1755 Jefferson Davis Highway
Arlington, Virginia 22202
(703) 413-3000
Fax #: (703) 413-2220
I:\atty\CRV\7791\77910052.pre; RAN:CRV/crv

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